
By: **Senators Hollinger, Brochin, Haines, Harris, Kelley, Klausmeier, and Stone**

Introduced and read first time: February 2, 2004
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Teachers - Hiring Retirees of the Teachers' Retirement System**
3 **or the Teachers' Pension System**

4 FOR the purpose of prohibiting a county board of education from hiring certain
5 retirees except under certain circumstances; authorizing the hiring of certain
6 retirees in certain subject areas, in certain classes for certain students, or in
7 certain schools identified by the State Board of Education; authorizing the
8 hiring of certain retirees to be teacher mentors; requiring certain county boards
9 of education to submit a certain report; requiring the State Department of
10 Education to submit a certain report to certain committees; and generally
11 relating to the hiring of retirees of the Teachers' Retirement System or the
12 Teachers' Pension System.

13 BY adding to
14 Article - Education
15 Section 6-116
16 Annotated Code of Maryland
17 (2001 Replacement Volume and 2003 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article - Education**

21 6-116.

22 (A) EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (C) OF THIS SECTION, A
23 COUNTY BOARD MAY NOT HIRE A RETIREE OF THE TEACHERS' RETIREMENT SYSTEM
24 OR THE TEACHERS' PENSION SYSTEM.

25 (B) A COUNTY BOARD MAY HIRE A RETIREE OF THE TEACHERS' RETIREMENT
26 SYSTEM OR THE TEACHERS' PENSION SYSTEM TO TEACH:

27 (1) MATHEMATICS;

- 1 (2) READING/ENGLISH LANGUAGE ARTS;
- 2 (3) SCIENCE;
- 3 (4) SOCIAL STUDIES;
- 4 (5) A SPECIAL EDUCATION CLASS FOR STUDENTS WITH SPECIAL NEEDS;
- 5 (6) A CLASS FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY; OR
- 6 (7) IN A SCHOOL IDENTIFIED BY THE STATE BOARD TO BE UNDER
- 7 SCHOOL IMPROVEMENT, CORRECTIVE ACTION, OR RESTRUCTURING.

8 (C) A COUNTY BOARD MAY HIRE A RETIREE OF THE TEACHERS' RETIREMENT
9 SYSTEM OR THE TEACHERS' PENSION SYSTEM TO BE A PRINCIPAL IN A SCHOOL THAT
10 FAILS TO MEET ADEQUATE YEARLY PROGRESS, AS SET BY THE DEPARTMENT, FOR 2
11 YEARS IN A ROW.

12 (D) A COUNTY BOARD MAY HIRE A RETIREE OF THE TEACHERS' RETIREMENT
13 SYSTEM OR THE TEACHERS' PENSION SYSTEM TO BE A TEACHER MENTOR.

14 SECTION 2. AND BE IT FURTHER ENACTED, That each county board of
15 education shall submit to the State Department of Education by July 1 of each year a
16 report regarding:

- 17 (1) The number of retirees of the Teachers' Retirement System or the Teachers'
18 Pension System that were hired during the previous school year;
- 19 (2) The subject area or class that the retiree taught; and
- 20 (3) The school where the retiree taught.

21 SECTION 3. AND BE IT FURTHER ENACTED, That the State Department
22 of Education shall report to the Senate Budget and Taxation and Education, Health,
23 and Environmental Affairs Committees and the House Appropriations and Ways and
24 Means Committees by December 1 of each year, in accordance with § 2-1246 of the
25 State Government Article, regarding the information collected under Section 2 of this
26 Act.

27 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take
28 effect July 1, 2004.